



# RULE-MAKING ORDER

(RCW 34.05.360)

**CR-103** (7/22/01)

**Agency:** Department of Labor and Industries

- ☒ Permanent Rule  
☐ Emergency Rule  
☐ Expedited Rule Making

**(1) Date of adoption:** May 18, 2004

**(2) Purpose:** Chapter 296-56 WAC, Safety Standards for Longshore, Stevedore and Related Waterfront Operations  
The Occupational Safety and Health Administration (OSHA) found our rules requiring the use of personal flotation devices (PFD) to be less effective than the Federal standard. The department is adopting changes that will make our rule at least as effective as the Federal equivalent. Additional housekeeping changes were made.

**(3) Citation of existing rules affected by this order:**

Repealed: None  
Amended: WAC 296-56-60115, Other protective measures, WAC 296-56-60243, Fuel handling and storage  
Suspended: None

**(4) Statutory authority for adoption:** RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060

Other Authority:

**PERMANENT RULE ONLY (Including Expedited Rule Making)**

Adopted under notice filed as WSR 04-05-072 on February 17, 2004.

Describe any changes other than editing from proposed to adopted version: None

**EMERGENCY RULE ONLY**

Under RCW 34.05.350 the agency for good cause finds:

- ☐ (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- ☐ (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

**(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?:**

☐ Yes ☒ No If Yes, explain:

**(6) Effective date of rule:**

**Permanent Rules**

- ☐ 31 days after filing  
☒ Other (specify) 7/1/04

**Emergency Rules**

- ☐ Immediately  
☐ Later (specify) \_\_\_\_\_

\*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

Name (Type or Print)

Paul Trause

Signature

Title

Director

Date

May 18, 2004

CODE REVISER USE ONLY

WSR# 04-11-066

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	<u>2</u>	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in the agency's own initiative:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	<u>2</u>	Repealed	_____
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	<u>2</u>	Repealed	_____